



U.S. Department of Justice

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November 9, 2018

BY ECF

The Honorable Andrew L. Carter, Jr.
United States District Judge
United States District Court
Southern District of New York
40 Foley Square, Room 435
New York, NY 10007

Re: *The New York Times Co. v. Department of Justice*, 18 Civ. 7097 (ALC)

Dear Judge Carter:

This Office represents the Department of Justice in the above-referenced case, which concerns Plaintiffs' Freedom of Information Act request for a 2014 memorandum opinion from the Office of Legal Counsel ("OLC") to then-President Obama. *See* Dkt. No. 1 ¶ 8. As the Court is aware, OLC was in the final stages of a re-review of that memorandum opinion for potential publication. *See* Dkt. No. 9.

Pursuant to the Court's October 9, 2018, Order, Dkt. No. 11, I write to provide an update on the status of that review. Earlier this week, on November 7, 2018, OLC completed its review of the at-issue memorandum opinion and published it on its website.¹ That same day, our Office advised Plaintiffs of the memorandum opinion's publication and provided an electronic copy by e-mail.

Our Office also inquired as to whether Plaintiffs would be willing to stipulate to dismissal of this action; Plaintiffs advised earlier today that they would agree to dismiss this case. The parties will submit a stipulation for the Court's approval shortly.

I thank the Court for its attention to this matter.

¹ <https://www.justice.gov/olc/file/1108686/download>.

Respectfully submitted,

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cc: Plaintiffs' counsel (by ECF)